EXHIBIT

Sofia Esteves

From: "Sofia Esteves" <sofia.esteves@indianowilliams.com>
To: "Antonio Valiente" <antonio@nf-legal.com>; <jeffrey.williams@indianowilliams.com>
Cc: <jetoro@tcmrslaw.com>; "Joanne Tomasini" <jtomasini@tcmrslaw.com>; <valientegr@aol.com>; "Nilda Carrasquillo" <nilda@nf-legal.com>
Sent: Friday, October 12, 2007 12:30 PM
Subject: Re: New Trial Dates (AWMR v. CEMEX / Ecoterra)

Antonio:

1. My client cannot agree on the change of date. He already made arrangements for the trial in January, and has other business matters outside Puerto Rico pending in March. We would oppose this request.

2. Regarding the issues discussed over lunch, and in consideration of the fact that your client has no moneys to comply with the Court's order, my client would be willing to take all the metal out of the site at his expense and to use as he sees fit, and post a bond for the corresponding value of the weighed metal, but only according to the terms of the contract between the parties; meaning it would be weighed before it left the premises and the corresponding amount per the terms of the contract would be deposited with the Court. This would also dispose of the bond issue which you have brought up before the Court. Considering, again, that we would be complying with the terms of the contract, this not an unreasonable proposal.

Please get back to me before COB today so everyone can make the appropriate arrangements for Monday if necessary.

Saludos, ASE
----- Original Message -----

> **From:** Antonio Valiente
> **To:** jeffrey.williams@indianowilliams.com ; sofia.esteves@indianowilliams.com
> **Cc:** jetoro@tcmrslaw.com ; Joanne Tomasini ; valientegr@aol.com ; Nilda Carrasquillo
> **Sent:** Friday, October 12, 2007 11:41 AM
> **Subject:** RE: New Trial Dates (AWMR v. CEMEX / Ecoterra)
>
> Dear all,
>
> Do we have a response on this particular issue? I would like to inform the judge as soon as possible of agreed upon dates.
>
> On another note, any comments on what Sofia, Joanne and myself discussed during lunch on Wednesday?
>
> Regards,
> ANTONIO VALIENTE, ESQ.
> NIGAGLIONI & FERRAIUOLI, PSC
>
> ---
>
> **From:** avaliente
> **Sent:** Monday, October 08, 2007 6:31 PM
> **To:** jeffrey.williams@indianowilliams.com
> **Cc:** Antonio Valiente; jetoro@tcmrslaw.com
> **Subject:** Re: New Trial Dates (AWMR v. CEMEX / Ecoterra)

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